

ENTERED

June 05, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION

KATRINA MARIE CANNON, and
MELISSA MARIE CANNON,

Plaintiffs,

v.

The STATE OF TEXAS,

Defendant.

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Civil Action No. 6:23-MC-00001

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Pending before the Court is the April 14, 2023, Memorandum and Recommendation ("M&R") prepared by Magistrate Judge Mitchel Neurock. (Dkt. No. 5). Magistrate Judge Neurock made findings and conclusions and recommended that Plaintiff's complaint be dismissed for want of prosecution. (*Id.*).

The Parties were provided proper notice and the opportunity to object to the M&R. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). No party filed an objection. As a result, review is straightforward: plain error. *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005). No plain error appears.

Accordingly, the Court accepts the M&R and adopts it as the opinion of the Court. It is therefore ordered that:

- (1) Magistrate Judge Neurock's M&R, (Dkt. No. 5), is **ACCEPTED** and **ADOPTED** in its entirety as the holding of the Court; and
- (2) Plaintiff's Application to Proceed In Forma Pauperis, (Dkt. No. 1), is **DISMISSED WITHOUT PREJUDICE**.

It is SO ORDERED.

Signed on June 2, 2023.

Drew B Tipton
DREW B. TIPTON
UNITED STATES DISTRICT JUDGE